

AMENDED IN SENATE MARCH 21, 2006

SENATE BILL

No. 1200

Introduced by Senator Hollingsworth

January 24, 2006

An act to amend Section 3240.5 of the Fish and Game Code, relating to hunting.

LEGISLATIVE COUNSEL'S DIGEST

SB 1200, as amended, Hollingsworth. Hunting: commercial hunting club licenses.

Existing law establishes the Department of Fish and Game in the Resources Agency. Existing law authorizes the department to regulate commercial hunting clubs, ~~but~~. *Existing law requires a person in possession or control of property who imposes or collects a fee for the privilege of taking birds or mammals on that property, or who imposes or collects a fee for any type of entry or use permit that includes the privilege of taking birds or mammals on that property, to obtain a commercial hunting club license from the department, as prescribed. Existing law exempts from the application of those provisions this provision any hunting club or program licensed under other provisions of the Fish and Game Code and any person who receives less than \$50 per entrant to the club or an annual total of fees that is less than \$500.*

~~Existing law specifically requires every person to whom these exemptions are not applicable, and who is in possession or control of property and imposes or collects a fee for the privilege of taking birds or mammals on that property, or who imposes or collects a fee for any type of entry or use permit that includes the privilege of taking birds~~

~~or mammals on that property, to obtain a commercial hunting club license.~~

~~This bill would specify that, if the person who operates the commercial hunting club is a renter or lessee, that person and not the landowner shall obtain the license. This bill would recast those provisions to require a person, including, but not limited to, a renter or lessee, in possession or control of property on or with respect to which a fee for the privilege of taking birds or mammals is imposed or collected, or on or with respect to which a fee for any type of entry or use permit that includes the privilege of taking birds or mammals on the property is imposed or collected, unless exempted as described above, to obtain a commercial hunting club license. The bill would additionally exempt from having to obtain a commercial hunting club license any landowner who rents or leases his or her property to a commercial hunting club and is not involved in the operation of the club.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 3240.5 of the Fish and Game Code is
- 2 amended to read:
- 3 3240.5. (a) ~~(1)~~—A person, *including, but not limited to, a*
- 4 *renter or lessee*, in possession or control of property on or with
- 5 respect to which a fee for the privilege of taking birds or
- 6 mammals is imposed or collected, or on or with respect to which
- 7 a fee for any type of entry or use permit that includes the
- 8 privilege of taking birds or mammals on the property is imposed
- 9 or collected, is maintaining a commercial hunting club if birds or
- 10 mammals are taken on the property, and shall procure a
- 11 “commercial hunting club license.”
- 12 ~~(2) If the person who operates the commercial hunting club is~~
- 13 ~~a renter or lessee, that person and not the landowner shall obtain~~
- 14 ~~the license.~~
- 15 ~~(b) This article does not apply to any hunting club or program~~
- 16 ~~licensed under other provisions of this code, or to any person~~
- 17 ~~who receives less than fifty dollars (\$50) per entrant and receives~~
- 18 ~~less than a total of five hundred dollars (\$500) between July 1~~
- 19 ~~and the following June 30 for permission, entry, access, or use~~

1 ~~fees that include the privilege of hunting on property in his or her~~
2 ~~possession or control.~~

3 *(b) This article does not apply to any of the following:*

4 *(1) Any hunting club or program licensed under other*
5 *provisions of this code.*

6 *(2) Any person who receives less than fifty dollars (\$50) per*
7 *entrant and receives less than a total of five hundred dollars*
8 *(\$500) between July 1 and the following June 30 for permission,*
9 *entry access, or use fees that include the privilege of hunting on*
10 *property in his or her possession or control.*

11 *(3) Any landowner who rents or leases his or her property to a*
12 *commercial hunting club and is not involved in the operation of*
13 *the club.*